

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ANTOINE H. HILAIRE and  
ISLANDE HILAIRE,

Plaintiffs,

**STIPULATION OF  
DISCONTINUANCE**

- against -

Docket No.  
CV-09-811

JPMORGAN CHASE BANK, N.A. and  
WASHINGTON MUTUAL BANK,

(Johnson, J.)  
(Levy, M.J.)

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for plaintiffs Antoine H. Hilaire and Islande Hilaire and defendant JPMorgan Chase Bank, N.A. ("Chase"), individually, and as acquirer of certain assets and liabilities of defendant Washington Mutual Bank ("WaMu") (Chase and WaMu collectively, "Defendants") from the Federal Deposit Insurance Corporation, as Receiver for WaMu, that whereas neither party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, the above-entitled action be, and the same hereby is discontinued against Defendants with prejudice and without costs to either party as against the other. Facsimile signatures shall have the same effect as originals.

Dated: Garden City, New York  
June 30, 2009

LAW OFFICES OF HERSH  
JAKUBOWITZ P.L.L.C.

By: [Signature]  
Hersh Jakubowitz, Esq.  
Attorney for Plaintiffs  
42-34 162<sup>nd</sup> Street  
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(718) 445-1436

CULLEN AND DYKMAN LLP

By: [Signature]  
Elizabeth Lovino, Esq.  
Attorneys for Defendants  
100 Quentin Roosevelt Boulevard  
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(516) 357-3700

SO ORDERED  
on this 7<sup>th</sup> day of July

s/b Judge Johnson

STERLING JOHNSON, JR., U.S.D.J.

TOTAL P.11